

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7099

IN THE MATTER OF:

Served March 19, 2003

AM-VAN, INC., Trading as ALL)
AMERICAN AMBULANCE & TRANSPORT,)
WMATC No. 575, and FOWLER)
TRIO, L.L.C., Trading as ALL)
AMERICAN ADVENTURES & TOURS,)
WMATC No. 576, Collectively)
Trading as AAA TRANSPORT,)
Investigation of Violation of)
Article XI, Section 5(a) of the)
Compact and Commission)
Regulation No. 61)

Case No. MP-2003-27

On October 23, 2002, Commission staff advised respondents that their vehicles had been selected for inspection by staff pursuant to Article XII, Section 1(b), of the Compact.¹ Staff directed respondents to contact the Commission's Compliance Supervisor no later than November 5, 2002, to schedule the inspections. Each respondent was directed to submit a list of revenue vehicles, copies of the vehicle registration cards, and copies of safety inspection certificates for vehicles without safety inspection stickers. Respondents provided staff with vehicle lists and copies of vehicles registration cards on December 12, 2002, but respondents have yet to produce any of the vehicles for inspection.²

Pursuant to Article XIII, Section 1 (c) and (e) of the Compact, the Commission may investigate a carrier to determine whether that carrier has violated the Compact and may require the production of books, papers, correspondence, memoranda, contracts, agreements, or other records or evidence which the Commission considers relevant to the inquiry.

A carrier that knowingly and willfully violates a provision of the Compact shall be subject to a civil forfeiture of not more than \$1,000 for the first violation and not more than \$5,000 for any

¹ The Commission shall have access at all times to the accounts, records, memoranda, lands, buildings, and equipment of any carrier for inspection purposes.

² Am-Van, Inc., listed thirteen revenue vehicles on their December 12, 2002, vehicle list. Fowler Trio, L.L.C., filed a revised vehicle list on January 21, 2002, listing eleven vehicles.

subsequent violation; each day of the violation constitutes a separate violation.³

The Commission will initiate an investigation to determine whether respondents have violated Article XI, Section 5(a), which requires each WMATC carrier to provide safe equipment and service, and Commission Regulation No. 61, which requires each WMATC carrier to display its name and WMATC number on both sides of each vehicle used in WMATC operations.

THEREFORE, IT IS ORDERED:

1. That an investigation of the operations of Am-Van, Inc., trading as AAA Transport and All American Ambulance & Transport, WMATC No. 575, in the Washington Metropolitan Area Transit District, is hereby initiated under Article XIII, Section 1, of the Compact.

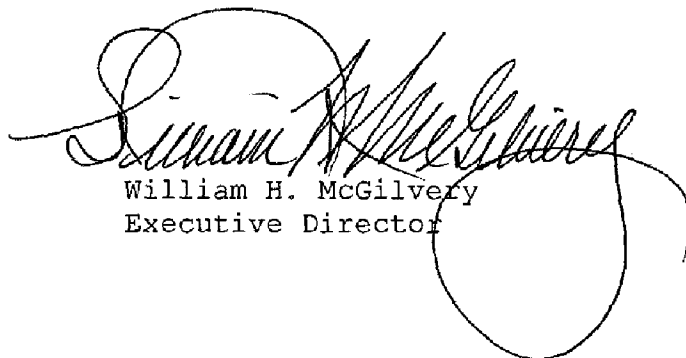
2. That an investigation of the operations of Fowler Trio, L.L.C., trading as AAA Transport and All American Adventures & Tours, WMATC No. 576, in the Washington Metropolitan Area Transit District, is hereby initiated under Article XIII, Section 1, of the Compact.

3. That respondents are hereby directed to produce all revenue vehicles for inspection by Commission staff within thirty days from the date of this order.

4. That Certificate of Authority Nos. 575 and 576 shall stand suspended, and be subject to revocation without further notice, upon respondents' failure to timely comply with the requirements of this order.

5. That respondents may not operate any vehicle that fails inspection by staff unless and until such vehicle passes reinspection.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND MCDONALD:



William H. McGilvery
Executive Director

³ Compact, tit. II, art. XIII, § 6(f).